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## FACSIMILE TRANSMISSION

Total # of Pages 10 (Including this page)

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From : Joseph N. Ziebert  
Email Address : jziebert@foley.com  
Sender's Direct Dial : 414.297.5768  
Date : October 20, 2004  
Client/Matter No : 046948-0113 (fka 071402-0115)  
User ID No : 833

## MESSAGE:

This is regarding Application No. 10/686,017.

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I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.

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Cover Page 1 of 1

FOLEY &amp; LARDNER LLP

PAGE 1/10 \* RCVD AT 10/20/2004 5:06:35 PM [Eastern Daylight Time] \* SVR:USPTO-EFXXF-1/4 \* DNIS:8729306 \* CSID:4143197016 \* DURATION (mm:ss):02:30

OCT 20 2004

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Harold F. Ross

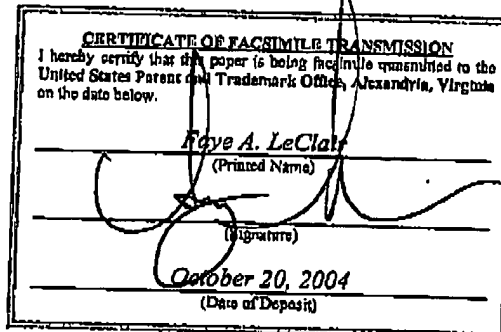
Title: ICE CREAM MACHINE WITH  
SPECIALIZED MOTOR

Appl. No.: 10/686,017

Filing Date: 10/15/2003

Examiner: William E. Tapolcai

Art Unit: 3744

**AMENDMENT TRANSMITTAL**

**Mail Stop Amendment**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.
- ☐ Assertion of Small Entity status is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	20	-	20	=	0	x	\$18.00	=	\$0.00
Independent Claims:	4	-	4	=	0	x	\$88.00	=	\$0.00
First presentation of any Multiple Dependent Claims: + \$300.00 = \$0.00									

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

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 CLAIMS FEE TOTAL = \$0.00
 

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- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 06-1447 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10-20-04

FOLEY & LARDNER LLP  
Customer Number: 26371  
Telephone: (414) 297-5768  
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By Joseph N. Ziebert  
Joseph N. Ziebert  
Attorney for Applicant  
Registration No. 35,421

OCT 20 2004

Atty. Dkt. No. 046948-0113 (fka 071402-0115)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Harold F. Ross

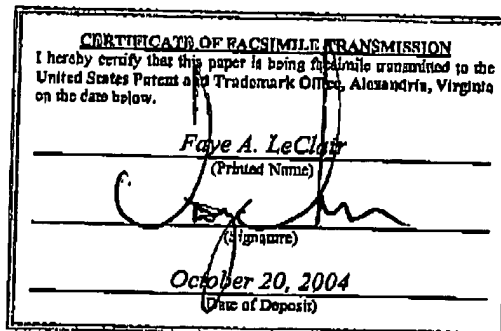
**Title:** ICE CREAM MACHINE WITH  
SPECIALIZED MOTOR

**Appl. No.:** 10/686,017

**Filing Date:** 10/15/2003

**Examiner:** William E. Tapolcai

**Art Unit:** 3744



**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This communication is responsive to the Non-Final Office Action dated September 20, 2004, concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 5 of this document.

Please amend the application as follows: